

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIGNA TINEO,

Plaintiff,

ORDER
1:21-cv-09467-GRJ

v.

KILOLO KIJAKAZI,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

GARY R. JONES, United States Magistrate Judge:

Pending before the Court is the parties' Stipulation for Allowance of Fees under the Equal Access to Justice Act and Costs Under 28 U.S.C. § 1920. (Docket No. 38.) The parties have stipulated that Plaintiff should be awarded seven thousand eight hundred ninety-five dollars and eighty-two cents (\$7,895.82) in attorney's fees, twenty-one (\$21.00) dollars for expenses under the Equal Access to Justice Act and costs in the amount of four hundred and two dollars \$402.00.

Upon due consideration, it is **ORDERED**:

1. Plaintiff is awarded attorney's fees in the amount of **\$7,895.82**, and expenses of **\$21.00** under the EAJA. The payment of attorney's fees and expenses are subject to any offsetting debt owed by the Plaintiff to the

United States. Before the Commissioner shall be obligated to pay the EAJA fees and costs, the Commissioner must determine whether Plaintiff owes a debt to the government. In the event the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Commissioner must then pay the fees and expenses directly to Plaintiff's counsel.

2. Plaintiff is awarded costs in the sum of \$402.00, which costs shall be payable from the judgment fund administered by the United States Department of Treasury.

3. The Clerk is directed to terminate as a pending motion, Plaintiff's Motion for Attorney's Fees. (Docket No. 35)

Dated: September 28, 2023

s/ Gary R. Jones

GARY R. JONES

United States Magistrate Judge